

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL NOTE**

**HB 2266 - SB 2247**

March 26, 2009

**SUMMARY OF BILL:** Enacts the Health Data Reporting Act of 2009 which requires all health care facilities to report incidents of abuse, neglect, and misappropriation to the Department of Health within seven business days from the discovery of the incident. Within 40 days of the discovery, the facility shall file with the Department a corrective action report for each incident. If the Department does not approve the corrective action, the Department must provide the facility with a list of necessary actions to address the errors leading to the incident. If the Department and the facility cannot agree on the corrective action plan, the Board for Licensing Health Care Facilities shall make a final determination after a contested case hearing. All reports are to be kept confidential, except the Department must reveal knowledge of the incident upon request. Facilities must report incidents that may result in the disruption in the delivery of health care services including a strike by the employees, external disaster impacting the facility, or fires at the facility.

**ESTIMATED FISCAL IMPACT:**

**State Expenditures – Net Impact – Not Significant**

Assumptions:

- Currently, health care facilities are required to report all unusual events, defined as an unexpected occurrence or accident resulting in death or a life-threatening or serious injury to a patient. The bill changes this provision by requiring facilities to only report incidents of abuse, neglect, and misappropriation.
- According to the Department of Health, there will be a reduction in the number of onsite investigations the Department is required to conduct. Instead of conducting onsite investigations, the Department would work with the facility to correct the actions which resulted in the incidents. The net impact on state expenditures is estimated to be not significant.
- According to the Department of Health, the existing online reporting system should not require revisions to comply with the provisions of the proposed legislation.

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**CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is written in a cursive style with a large, stylized "J" and "W".

James W. White, Executive Director

/kml